

BEFORE THE IOWA BOARD OF PHARMACY

RE:
Application for Nonresident Pharmacy
License of

**PRECISION COMPOUNDING PHARMACY,
INC.,**
Applicant.

LICENSURE BY CONSENT AGREEMENT

COME NOW the Iowa Board of Pharmacy ("Board") and Precision Compounding Pharmacy, Inc. ("Applicant") 15722 W Center Rd, Omaha Nebraska 68130, and enter into this Licensure by Consent Agreement ("Agreement") pursuant to Iowa Code sections 17A.10 and 17A.18. The Board has jurisdiction over Applicant and the subject matter of this case pursuant to Iowa Code chapters 17A, 155A, and 272C (2017), and 657 IAC chapters 19 and 35.

A. FACTUAL CIRCUMSTANCES

1. On August 31, 2017, the Board received an application for a nonresident pharmacy license from Precision Compounding Pharmacy, Inc.
2. Applicant indicated on the application that it had delivered approximately 25 prescriptions into Iowa last year.

B. LEGAL GROUNDS

3. The Board may refuse to issue a license for any grounds under which the Board may impose discipline. See Iowa Code section 155A.13A(4).
4. The Board may impose discipline for any violation of Iowa Code chapter 155A or rule of the Board. See Iowa Code section 155A.13A(5)(c).
5. Iowa Code section 155A.13A and 657 IAC 19.2 require that a nonresident pharmacy obtain a nonresident pharmacy license prior to delivering prescription drugs into Iowa.

C. LICENSURE BY CONSENT

6. Applicant admits the allegations in the Factual Circumstances and acknowledges that the allegations, if proven in a contested case hearing concerning license denial, would constitute grounds for the adverse action agreed to in this Agreement.

7. Execution of this Agreement constitutes the resolution of a contested case. Applicant has a right to hearing before the Board on the grounds for license denial, but Applicant waives the right to hearing and all attendant rights, including the right to appeal or seek judicial review

of the Board's action, by freely and voluntarily entering into this Agreement. Once entered, this Agreement shall have the force and effect of a Board Order entered following a contested case hearing concerning license denial.

8. Applicant acknowledges that it has the right to be represented by counsel on this matter.

9. This Agreement is subject to approval by a majority of the full Board. If the Board does not approve this Agreement, it shall be of no force or effect to either party, and shall not be admissible for any purpose in further proceedings in this matter. If the Board approves this Agreement, it shall be the full and final resolution of this matter.

10. This Agreement shall be part of Applicant's permanent record and shall be considered by the Board in determining the nature and severity of any disciplinary action to be imposed in the event of any future violations.

11. Applicant understands that this Agreement constitutes adverse action and that the Board is required by federal law to report any adverse action to the National Association of Boards of Pharmacy's Disciplinary Clearinghouse and the National Practitioner Data Bank.

12. This Agreement, when fully executed, is a public record and is available for inspection and copying in accordance with the requirements of Iowa Code chapters 22 and 272C.

13. The Board's approval of this Agreement shall constitute a FINAL ORDER of the Board.

IT IS THEREFORE ORDERED:

14. Applicant shall be issued an Iowa nonresident pharmacy license.

15. Applicant agrees to pay a **CIVIL PENALTY** in the amount of one thousand dollars (\$1000). The civil penalty shall be made payable to the Treasurer of Iowa and paid within thirty (30) days of license issuance. The civil penalty should be mailed to the Iowa Board of Pharmacy, Attn: Amanda Woltz, 400 SW 8th St, Ste E, Des Moines IA 50309. All civil penalty payments shall be deposited into the State of Iowa general fund.

16. Should Applicant violate the terms of this Order, the Board may initiate action to impose other licensee discipline as authorized by Iowa Code chapters 155A and 272C and 657 IAC chapter 36.

This Licensure by Consent Agreement is voluntarily submitted by Applicant to the Board for its consideration on the 8th day of November, 2017.

Precision Compounding Pharmacy, Inc.
PRECISION COMPOUNDING PHARMACY, INC.
Applicant

By this signature, Jodi Peterson acknowledges s/he is the
Vice President for Applicant and is authorized to sign this Settlement
Agreement and Final Order on behalf of Applicant.

This Licensure by Consent Agreement is approved by the Iowa Board of Pharmacy on the 17th
day of November, 2017.

Samuel K. Trueson
Chairperson
Iowa Board of Pharmacy